



# Public Information Office United States Courts for the Ninth Circuit

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## ANNOUNCEMENT

November 22, 2010

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## **Notice to Media, Public Regarding Oral Arguments in *Perry v. Schwarzenegger***

**SAN FRANCISCO** – Oral arguments in *Perry v. Schwarzenegger*, Cases 10-16696 (main appeal) and 10-16751 (intervenor appeal), will be heard by a panel of three judges of the United States Court of Appeals for the Ninth Circuit on Monday, December 6, beginning at 10 a.m. (Pacific time) in Courtroom One on the third floor of the James R. Browning U.S. Courthouse, 95 7<sup>th</sup> St., San Francisco. The panel judges will be identified one week before the proceeding.

The main appeal involves a challenge by two same-sex couples to the constitutionality of Proposition 8, a voter-enacted amendment to the California Constitution, which provides that only marriage between a man and a woman is valid in California. The U.S. District Court for the Northern District of California found Proposition 8 unconstitutional under the Due Process and Equal Protection clauses of the Fourteenth Amendment to the Constitution, and entered an order permanently enjoining the enforcement of Proposition 8. The official proponents of Proposition 8 and the committee designated by the official proponents as the official Yes on 8 campaign appeal the district court's judgment. In the intervenor appeal, Imperial County, its board of supervisors and county clerk appeal the district court's denial of their motion to intervene as defendants in the district court proceedings.

The panel has ordered that oral argument be divided into two hour-long sessions with a brief recess in between. In the first hour, the parties shall address each appellant's standing and any other procedural matters that may properly be raised. In the second hour, the parties shall address the constitutionality of Proposition 8.

### **Live C-SPAN Broadcast**

The panel has given consent for live broadcast of the proceeding, which is scheduled to air on C-SPAN, beginning at 10 a.m. (Pacific time). C-SPAN will provide an audio/video feed to other media as part of a pool arrangement. To participate in the pool, media must make application to the court using the camera request form found [here](#). Requests will be accepted until 5 p.m. Wednesday, December 1. The media is responsible for all pool arrangements.

## **Remote Viewing**

In addition to C-SPAN, the Ninth Circuit Court of Appeals will provide a live audio/video feed from Courtroom One to other spaces within the James R. Browning U.S. Courthouse and to the remote viewing locations listed below. Public access to the remote viewing locations in federal courthouses will be on a first come-first served basis. No photographs or recording/transmission of the audio and video displayed at the remote viewing locations will be allowed. Proper decorum is expected.

### **Perry v. Schwarzenegger**

**December 6, 2010**

#### **Remote Viewing Locations**

Richard H. Chambers U.S. Courthouse 125 South Grand Avenue Pasadena, California. Mezzanine Conference Room	U.S. Pioneer Courthouse 700 SW Sixth Avenue Portland, Oregon Pioneer Courtroom	William K. Nakamura U.S. Courthouse 1010 Fifth Avenue Seattle, Washington Courtroom One, 8 <sup>th</sup> Floor
Philip Burton Federal Building & U.S. Courthouse 450 Golden Gate Avenue San Francisco, California Ceremonial Courtroom, 19 <sup>th</sup> Floor	John Joseph Moakley U.S. Courthouse 1 Courthouse Way Boston, Massachusetts Courtroom 11, 5 <sup>th</sup> floor	Theodore Roosevelt U.S. Courthouse 225 Cadman Plaza East Brooklyn, New York Courtroom 6A, 6 <sup>th</sup> Floor
University of California Hastings College of Law 198 McAllister Street San Francisco, California Louis B. Mayer Lounge 1 <sup>st</sup> floor		

## **Media Seating**

Due to significant public interest in the case, the court will reserve a limited number of seats in Courtroom One for members of the media. Only media displaying a credential provided by the court will be allowed in the media seating area. To request a credential, call or email the court's public information officer, David J. Madden, (415) 355-8930 / [dmadden@ce9.uscourts.gov](mailto:dmadden@ce9.uscourts.gov) by 5 p.m. Wednesday, December 1. On the day of the proceeding, credentials will be available from a registration table adjacent to the main public entrance to the courthouse, which is located at 7<sup>th</sup> and Mission streets. Members of the media must present a photo ID to receive their credential. Media members must pick up their credentials no later than 9:30 a.m. and be seated in the courtroom by 9:45 a.m. or risk losing their seats. For questions, contact Mr. Madden.

**Public Seating**

Any public seating in Courtroom One will be extremely limited and available on a first come first serve basis. Visitors will be welcomed to watch in one of the overflow seating areas available within the courthouse. Courtroom One will open to public seating at 9:30 a.m.

**Photo ID Required**

The public entrance to the courthouse is located at 7<sup>th</sup> and Mission streets. Except for court personnel, all persons entering the courthouse must show a valid photo ID and pass through security screening.

**Electronic Devices**

Anyone may bring electronic devices, such as a Blackberry, smart phone, laptop computer or a similar functioning device having wireless communications capability into the courthouse. Except for the courtroom, persons may use such devices in public areas of the courthouse to make telephone calls and to transmit and receive data communications, such as email or text messages, or to access the Internet. For privacy, safety and security reasons, use of these devices to take photographs or for audio/video recording or transmission is prohibited in the courthouse.

In courtrooms, persons may use such devices to take notes, transmit and receive data communications, and access the Internet. This includes media members who are transmitting written accounts of the proceeding to a wider audience using various means. Persons may not use these devices for telephone calls, photographs or audio or video recording or transmission. Telephone ring tones and other functional sounds produced by devices must be disabled while in the courtroom. Only quiet keyboards may be used in the courtrooms. The presiding judge of a judicial panel may prohibit or further restrict use of such devices by all persons prior to or during a proceeding when necessary to protect the rights of the parties or to assure the orderly conduct of the proceedings.

**Internet Connection**

Courtroom One does not provide wi-fi connectivity. Wi-fi is available in the Attorney Lounge and the Courthouse Café, both located on the first floor of the courthouse.

**Electronic Documents**

The Ninth Circuit Court of Appeals has set up an Internet web page providing free public access to some of the electronic documents filed in the case. The web page is listed under “Cases of Interest” on the court home page: <http://www.ca9.uscourts.gov>.

The Ninth Circuit Court of Appeals hears appeals of cases decided by executive branch agencies and federal trial courts in nine western states and two Pacific Island jurisdictions. The court normally meets monthly in Seattle, Washington, and San Francisco and Pasadena, California; every other month in Portland, Oregon; three times per year in Honolulu, Hawaii; and twice a year in Anchorage, Alaska.